

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION – CINCINNATI**

SAMUEL J. BUCALO,	:	Case No. 1:22-cv-642
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
OHIO CIVIL RIGHTS COMMISSION, et	:	
al.,	:	
	:	
Defendants.	:	

---

**ORDER ADOPTING REPORT AND RECOMMENDATION AND TERMINATING  
CASE**

---

This action is before the Court on Magistrate Judge Stephanie K. Bowman’s Report and Recommendation (Doc. 40). This matter was referred to Magistrate Judge Bowman pursuant to 28 U.S.C. § 636(b). Now pending are several motions, including Defendants’ International Brotherhood of Teamsters and Teamsters Local Union No. 100’s motion to dismiss (Doc. 6) and Defendant Ohio Civil Rights Commission’s motion to dismiss (Doc. 21).

In the Report and Recommendation, Magistrate Judge Bowman analyzed Plaintiff’s complaint and recommended that his claims be dismissed. She recommended his claims against Defendant Equal Employment Opportunity Commission be dismissed based on a lack of derivative jurisdiction under 28 U.S.C. § 1442(a)(1). She recommended that the remaining defendants’ motions to dismiss be granted, because Plaintiff’s lawsuit was untimely, resulting in a lack of subject matter jurisdiction in the state court.

Plaintiff objects to the Report and Recommendation. But his objections present the same arguments he raised in opposition to dismissal. “Objections to magistrate judges’ reports and recommendations are not meant to be vehicles for rehashing arguments that the magistrate judge already considered.” *Rhodus v. Comm’r of Soc. Sec.*, No. 1:19-CV-217, 2020 WL 5517257, at \*1 (S.D. Ohio Sept. 14, 2020). Duplicative objections “fail to identify any specific errors” an unhappy litigant accuses the report and recommendation of making. *Id.*

Also pending is a motion for sanctions, which Magistrate Judge Bowman recommends denying. The Teamsters defendants did not object.

The Court has made a de novo review of the record in this case. 28 U.S.C. § 636(b); Federal Rule of Civil Procedure 72(b). Upon such review, the Court finds that Plaintiff’s objections point out no error in the Report and Recommendation and are accordingly **OVERRULED**.

Thus, the Court **ORDERS** as follows:

- (1) The Court **ADOPTS** the Report and Recommendation.
- (2) Plaintiff’s claims against the EEOC are **DISMISSED WITH PREJUDICE**.
- (3) The motions to dismiss (Docs. 6, 21) are **GRANTED**.
- (4) The joint motion for sanctions (Doc. 31) is **DENIED**.
- (5) The remaining motions (Docs. 9, 10, 19) are **DENIED AS MOOT**.
- (6) The Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a) that, for the reasons expressed in the Report, an appeal of this Order adopting the Report would not be taken in good faith, and therefore **DENIES** plaintiff leave to appeal *in*

*forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997), *overruled on other grounds*, *Jones v. Bock*, 549 U.S. 199, 203 (2007). Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999).

(7) This matter is **TERMINATED** from the Court's docket.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By:   
JUDGE MATTHEW W. McFARLAND